

## Message Text

CONFIDENTIAL

PAGE 01 QUITO 07051 292311Z

53

ACTION DLOS-06

INFO OCT-01 ARA-06 ISO-00 ACDA-07 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-02

INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15

USIA-06 SAL-01 /120 W

----- 062046

R 292229Z SEP 76

FM AMEMBASSY QUITO

TO SECSTATE WASHDC 1752

INFO AMEMBASSY LIMA

AMEMBASSY MEXICO

AMEMBASSY SANTIAGO

AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 7051

E.O. 11652: GDS

TAGS: PLOS PFOR EFIS EC

SUBJECT: GOE DESIRE TO REOPEN NEGOTIATIONS ON ARTICLE 53 AS A  
BASIS FOR A REGIONAL FISHING AGREEMENT

REF: STATE 212100

SUMMARY: THE MINISTRY OF FOREIGN AFFAIRS HAS EXPRESSED  
SATISFACTION WITH USG RESPONSE TO ITS INITIATIVE TO REOPEN  
NEGOTIATIONS ON ARTICLE 53, AND HAS SUGGESTED THAT MINISTRY  
AND EMBASSY OFFICIALS BEGIN INFORMAL TALKS TO ARRIVE AT MORE  
ACCEPTABLE LANGUAGE IN DRAFT ARTICLE 53 DEVELOPED BY GOE AND  
USG DURING VISIT OF AMBASSADORS MOORE AND RIDGWAY IN FEBRUARY  
1976. EMBASSY REQUESTS DEPARTMENT'S GUIDANCE. END SUMMARY.

1. AMBASSADOR HERNAN VIENTEMILLA, DIRGEN OF FONMIN'S DEPT

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 QUITO 07051 292311Z

OF TERRITORIAL SOVEREIGNTY (WHICH HAS PRIMARY RESPONSIBILITY

ON TERRITORIAL SEA MATTERS) INFORMED DCM IN LENGTHY CONVERSATION SEPT. 24 THAT MINISTRY OF FOREIGN AFFAIRS WAS VERY PLEASED WITH USG RESPONSE TO GOE INITIATIVE MADE BY AMBASSADOR LUIS VALENCIA TO AMBASSADOR CLINGAN ON AUG. 24 AT THE LOS CONFERENCE THAT THE USG AND ECUADOR REOPEN NEGOTIATIONS ON ARTICLE 53. HE SAID THE MINISTRY OF FOREIGN AFFAIRS HAD FEARED THE USG WOULD BE COMPLETELY NEGATIVE TO THIS PROPOSAL. VIENTEMILLA SAID IT WAS IMPORTANT THAT THE GOE AND USG ARRIVE AT A CONSENSUS THAT COULD SERVE AS THE BASIS FOR A REGIONAL FISHERIES AGREEMENT, AND THAT THE MINISTRY OF FOREIGN AFFAIRS WAS STUDYING THE NEXT STEP TO BE TAKEN BY THE GOE.

2. THE DCM SAID HE UNDERSTOOD THAT THE USG MIGHT BE WILLING TO CONSIDER FURTHER DISCUSSIONS OF ARTICLE 53 BASED ON THE INFORMAL DRAFT DEVELOPED BY GOE AND USG DURING FEB 1976 WHEN AMBASSADORS MOORE AND RIDGWAY VISITED QUITO, OR TO EXCHANGE PAPERS ON THE SUBJECT; BUT THAT USG COULD NOT CONSIDER TALKS BASED ON THE JOINT DRAFT PRESENTED BY ECUADOR, PERU AND CHILE IN MARCH 1976 AT THE LOS MEETING IN NEW YORK. AMBASSADOR VIENTEMILLA ATTRIBUTED THE OVERLY TOUGH POSITION IN THE DRAFT TO CHILE. HE SAID THAT THE GOE ATTACHED GREAT IMPORTANCE TO A UNITED POSITION WITH PERU AND CHILE ON FISHING, AND THAT CHILE HAD TAKEN A HARD LINE. HE SAID THAT BECAUSE CHILE HAD ALMOST ABANDONED THE 200-MILE TERRITORIAL SEA POSITION AND PERU WAS LESS COMMITTED TO IT THAN ECUADOR, THE GOE COULD NOT AFFORD TO BE LESS TERRITORIALIST THAN THESE TWO COUNTRIES. TO HAVE DONE WOULD HAVE CAUSED DISSENSION WITHIN THE FONMIN AND HAVE CAUSED INTERNAL POLITICAL PROBLEMS FOR THE GOE.

3. COMMENT: IT SEEMS UNLIKELY THAT CHILE PUSHED FOR A TOUGHER ARTICLE 53, AS STATED BY VIENTEMILLA. THE EMBASSY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 QUITO 07051 292311Z

HAD REPORTS THAT PERUVIANS ALLIED WITH CERTAIN ECUADOREANS (AMONG THEM VIENTEMILLA) BROUGHT ABOUT THE SHIFT TO A TOUGHER DRAFT ARTICLE 53.

4. AMBASSADOR VIENTEMILLA KNOWLEDGEABLY DISCUSSED THE RSNT AND THE DRAFT ARTICLE 53 DEVELOPED BY GOE AND USG IN FEB. HE SUGGESTED THAT A MAJOR DIFFICULTY FOR THE ECUADOREANS WITH THE DRAFT WAS LANGUAGE NOT SUBSTANCE. HE ALSO SAID THAT

SOME OF THE PROBLEMS RESULTED FROM THE USG TRYING TO RECONCILE ECUADOREAN AND MEXICAN POSITIONS WHICH HE SAID WERE INCOMPATIBLE. BASED ON THE OPINION THAT MANY OF THE GOE'S PROBLEMS WITH THE GOE-USG DEVELOPED DRAFT ARTICLE 53 WERE SEMANTICAL, VIENTEMILLA PROPOSED THAT EMBASSY AND FONMIN OFFICIALS BEGIN INFORMAL MEETINGS TO DEVELOP MORE ACCEPTABLE LANGUAGE. HE SUGGESTED THAT IF PROGRESS WERE MADE THAT HIGHER LEVEL MEETINGS COULD THEN BE SCHEDULED BETWEEN GOE AND USG.

5. THE DCM RESPONDED THAT ANY SUBSTANTIVE CHANGES IN THE DRAFT COULD ONLY BE MADE WITH WASHINGTON APPROVAL AND THAT THERE MIGHT ALSO BE SOME RELUCTANCE BY THE DEPT TO PERMIT EMBASSY OFFICIALS TO ENTER INTO DISCUSSIONS ON LANGUAGE. HE SAID, HOWEVER, THAT THIS WAS A MATTER THE EMBASSY COULD EXPLORE WITHIN OUR GOVT.

6. EMBASSY WOULD APPRECIATE DEPT'S VIEWS AND CONCURRENCE BEFORE ENTERING INTO ANY DISCUSSION OF THE DRAFT ARTICLE 53 DEVELOPED BY USG AND GOE IN FEB 1976.  
BLOOMFIELD

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FISHING AGREEMENTS, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 SEP 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976QUITO07051  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760369-0023  
**From:** QUITO  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t1976097/aaaaafsb.tel  
**Line Count:** 136  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION DLOS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 212100  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 15 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <15 JUL 2004 by ShawDG>; APPROVED <25 OCT 2004 by CunninFX>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GOE DESIRE TO REOPEN NEGOTIATIONS ON ARTICLE 53 AS A BASIS FOR A REGIONAL FISHING AGREEMENT  
**TAGS:** PLOS, PFOR, EFIS, EC, US, (VALENCIA, LUIS)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006